

Application No. 09/455,542
Attorney Docket No. 045112-0041

WO 93/09770). Applicants traverse these rejections to the extent they apply to the presently claimed invention and for at least the following reasons.

The cited references Kim et al. (Ref. U), Oita et al. (Ref V), DE 3829200 (Ref. W) and Luc et al. (Ref. X) do not disclose or suggest each feature of the claimed invention. At best, Kim et al. (Ref. U) discloses a eugenol and saline composition having an effect on **anaphylaxis**. Oita et al. (Ref V) merely discloses an **ophthalmic pharmaceutical** comprising eugenol. DE 3829200 (Ref. W) at best discloses a compound for the treatment of **AIDS** containing "e[u]genol and isoe[u]genol" or clove oil. Finally, Luc et al. (Ref. X) merely discloses a synergistic bacteriacidal composition comprising chlorhexidine and eugenol for the treatment of **buccal cavity and dermatological infections**. These cited references do not disclose or suggest a composition comprising at least one plant essential oil compound, such as eugenol, **selected on a basis for therapeutic treatment for cancer** as required by the claimed invention. As such, the cited references do not anticipate the claimed invention. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejections over the above cited references.


CONCLUSION

If any issues remain outstanding or if an Examiner's amendment could be made to expedite prosecution (e.g. an Examiner's Amendment), then Applicants respectfully invite the Examiner to contact the undersigned representative at the telephone number listed below.

Please grant any extensions of time deemed necessary for entry of this communication. Please charge any deficient fees, including Notice of Appeal fees, or credit any overpayment of fees, to Deposit Account No. 5000417.

Respectfully submitted,
MCDERMOTT, WILL & EMERY

Dated: November 15, 2002

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this document (including any paper referred to as being attached or enclosed) is being sent to the U.S. Patent and Trademark Office via facsimile transmission to (703) 872-9307 on the date indicated below, with a coversheet addressed to Assistant Commissioner for Patents, U.S. Patent and Trademark Office, Washington, D.C., 20231.

Date: November 15, 2002

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ATTACHMENT
Version With Markings To Show Changes Made

IN THE CLAIMS

Claims 6-13 are canceled without prejudice to, or disclaimer of, the subject matter they contain.

Claims 1, 4 and 5 are amended, as follow.

1. (Twice Amended) A [pharmaceutical] composition for the treatment of cancer, said composition[prevention or treatment of soft tissue cancer in mammals,] comprising, [in admixture with] a pharmaceutically acceptable carrier;[,] and

at least one plant essential oil compound selected from the group consisting of [aldehyde C16 (pure), amyl cinnamic aldehyde, amyl salicylate, anisic aldehyde,] benzyl alcohol, [benzyl acetate,] cinnamaldehyde, cinnamic alcohol, α -terpineol, carvacrol, [carveol, citral,] citronellal, [citronellol,] p-cymene, [diethyl phthalate, dimethyl salicylate, dipropylene glycol,] eucalyptol (cineole), eugenol, iso-eugenol, [galaxolide, geraniol,] guaiacol, [ionone, d-]limonene, [menthol, methyl anthranilate, methyl ionone,] methyl salicylate, α -phellandrene, [pennyroyal oil, perillaldehyde, 1- or 2-phenyl ethyl alcohol, 1- or 2-phenyl ethyl propionate, piperonal, piperonyl acetate, piperonyl alcohol, D-pulegone, terpinen-4-ol, terpinyl acetate, 4-tert butylcyclohexyl acetate, thyme oil,] thymol, [metabolites of] and trans-anethole[, vanillin, and ethyl vanillin, wherein the plant essential oil has antiestrogenic activity against E₂-induced abnormal cell growth], said composition having a pharmaceutically effective amount of the plant essential oil compound selected on a basis of therapeutic treatment for cancer.

4. (Twice Amended) The [pharmaceutical] composition of claim 1, wherein the cancer[E₂-induced abnormal cell growth] is breast cancer.

5. (Twice Amended) The [pharmaceutical] composition of claim 1, wherein the [plant essential oil] compound is eugenol.